04-09-04

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Michael D. Hooven et al.

Serial No.: 10/032,378

Filed: October 26, 2001

Group Art No.: 3739

Examiner: Rosiland S. Kearney

For: TRANSMURAL ABLATION DEVICE

WITH INTEGRAL EKG SENSOR

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" Mailing Label No.: EV 321714561 US

Attorney Docket No. HOOV 112

Date of Deposit April 8, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

NAME Renée C. Barthel

SIGNATURE

RECEIVED

APR 1 5 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TECHNOLOGY CENTER R3700

REQUEST FOR FURNISHING OF INITIALED COPIES OF CERTAIN PAGES OF PREVIOUSLY SUBMITTED INFORMATION DISCLOSURE STATEMENTS

This request is being submitted by applicant for the purpose of obtaining copies of certain pages of a previously submitted information disclosure statement after such pages have been initialed by the Examiner. Applicant respectfully requests such initialed copies in order to ensure the documents listed on such pages have been brought to the attention of the Examiner in this application.

In particular, applicant calls the Examiner's attention to the attached pages 1-5 of an IDS which was mailed by applicants on May 16, 2002. The Examiner's Office Action, mailed July 8, 2003, attached copies of pages 6-12 of such Information Disclosure Statement with the Examiner's initials, indicating that these

references were considered, but pages 1-5 were not attached to the action. Therefore, applicants are resubmitting these pages for the Examiner's attention. A copy of each of the references was submitted to the U.S. Patent Office or was cited by the Examiner in the parent application, Serial No. 09/747,609, filed December 22, 2000, now issued Patent No. 6,546,935, which is relied upon for an earlier effective filing date of the present application under 35 U.S.C. 102. Accordingly, applicants have not resubmitted copies of the documents on the attached pages. However, if the examiner requires additional copies, please contact applicant's undersigned attorney.

Since this request is resubmitting copies of pages of an information disclosure statement which was already filed previously with the U.S. Patent Office, no additional fee is believed to be required. However, should an additional fee be required, authorization is hereby given to charge Deposit Account 50-1039. (A duplicate of this document is enclosed herewith.)

Respectfully submitted,

Date: April 8, 2004

Gary M. McFarron, Esq.

Registration No. 27,357

Cook, Alex, McFarron, Manzo,

Cummings & Mehler, Ltd.

200 West Adams St., Ste. 2850

Chicago, IL 60606

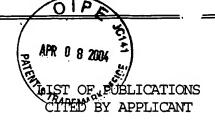
Telephone: (312) 236-8500

Attorneys for Applicant

•			Attorney Docket : HOOV 112	No.		<u>al No.</u> 32,378	
E JC14, LYS	T OF PUBLICATION	NS T	Applicant Michael D. HOOVEN,	et al.			
DEST OF POBLICATIONS OF POBLICATIONS APPLICANT			Filing Date October 26, 2001		<u>Group</u> 3739		
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME		CLASS	SUB- CLASS	FILING DATE
	3,630,207 3,901,242 4,043,342 4,353,371 4,492,231 4,590,934 4,706,667 4,732,149 4,802,475 4,940,064 5,013,312 5,083,565 5,085,657 5,087,243 5,116,332 5,147,355 5,190,541 5,207,691	12/28/71 08/26/75 08/23/77 10/12/82 01/08/85 05/27/86 11/17/87 03/22/88 02/07/89 07/10/90 05/07/91 01/28/92 02/04/92 02/11/92 05/26/92 09/15/92 03/02/93 05/04/93	Kahn et al Storz Morrison, Jr. Cosman Auth Malis et al Roos Sutter Weshahy Desai Parins et al Parins Ben-Simhon Avitall Lottick Friedman Abele et al Nardella		128 128 128 128 128 128 128 128 128 606 128 606 606 606 606	350 303 303 303 303 303 303 303 784 37 642 42 20 42 23 46 142	08/08/69 05/30/74 02/26/76 09/24/80 09/17/82 05/18/83 07/28/86 01/21/87 06/22/87 06/30/87 03/19/90 08/03/90 10/09/90 06/18/90 02/08/92 09/23/88 10/17/90 11/01/91
			IGN PATENT DOCUMEN	TS			
	DOCUMENT NUMBER	DATE	NAME		CLASS	SUB- CLASS	FILING DATE
	EP 0 765 639 WO 98/17187 WO 98/53750	04/02/97 04/30/98 12/03/98	Ethicon Endo-Surg Heartport, Inc. Sports Link, Inc.	-			09/27/96 10/22/97 05/28/98
	(Inclu		THER PUBLICATIONS T, Title, Date, Per	rtinent Pa	ıges)		
	English abstract re Japanese Patent Application No. JP 1996000275351, published April 28, 1997.						
EXAMINER:	DATE CONSIDERED:						

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP form. Draw line through citation if not in conformance and not considered.

Include a copy of this form with the next communication to applicant.



Attorney Docket No.	<u>Serial No.</u>
HOOV 112	10/032,378
Applicant Michael D. HOOVEN, et al.	
<u>Filing Date</u>	<u>Group</u>
October 26, 2001	3739

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	5,217,460	06/08/93	Knopfler	606	52	03/22/91
	5,231,995	08/03/93	Desai	128	784	09/30/92
ŀ	5,242,441	09/07/93	Avitall	606	41	02/24/92
	5,250,047	10/05/93	Rydell	606	48	10/21/91
	5,250,075	10/05/93	Badie	606	207	09/02/92
	5,263,493	11/23/93	Avitall	607	122	07/07/92
	5,269,326	12/14/93	Verrier	128	642	10/24/91
	5,269,780	12/14/93	Roos	606	42	09/27/91
	5,281,215	01/25/94	Milder	606	20	06/15/92
	5,281,216	01/25/94	Klicek	606	42	03/31/92
	5,293,869	03/15/94	Edwards et al	128	642	09/25/92
	5,318,589	06/07/94	Lichtman	606	205	04/15/92
	5,327,905	07/12/94	Avitall	128	772	12/11/92
	5,354,297	10/11/94	Avitall	606	45	07/07/92
	5,357,956	10/25/94	Nardella	128	642	11/13/92
	5,397,339	03/14/95	Desai	607	116	05/07/93
1	5,403,312	04/04/95	Yates et al	606	50	07/22/93
	5,423,807	06/13/95	Milder	606	20	01/24/94

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE		
	WO 99/02096	01/21/99	The Regents of the Univ. of California			07/08/98		
	WO 99/04696	02/04/99				07/24/98		
	WO 99/12487	03/18/99	Valleylab			09/04/98		

OTHER PUBLICATIONS (Including Author, Title, Date, Pertinent Pages)

TT 27	3 4 T 3 TT	
H X 4	MINER	٠
	AUTINE	

DATE CONSIDERED:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP form. Draw line through citation if not in conformance and not considered.

Include a copy of this form with the next communication to applicant.

Attorney Docket No. Serial No. HOOV 112 10/032,378 PE CONST OF PUBLICATIONS Applicant Michael D. HOOVEN, et al. CITED BY APPLICANT Filing Date Group October 26, 2001 3739 U.S. PATENT DOCUMENTS DOCUMENT SUB-*EXAMINER FILING INITIAL NUMBER DATE CLASS CLASS NAME DATE 07/04/95 5,429,131 Scheinman et al 128 642 02/25/94 5,429,636 07/04/95 Shikhman et al 606 41 10/08/93 Goble 5,438,302 08/01/95 331 167 07/11/94 5,441,483 08/15/95 Avitall 604 95 11/08/93 08/22/95 Stern et al 51 5,443,463 606 08/16/93 Rydell et al 5,445,638 08/29/95 606 51 07/16/93 5,449,355 09/12/95 Rhum et al 606 41 11/24/93 Ben-Simhon 5,451,223 09/19/95 606 42 07/26/94 10/03/95 Avitall 642 5,454,370 128 12/03/93 Avitall 11/14/95 642 5,465,716 128 11/22/93 5,472,441 12/05/95 Edwards et al 606 41 03/11/94 Sweezer et al 5,478,309 12/26/95 604 4 05/27/94 01/02/96 Riza 205 5,480,409 606 05/10/94 Avitall 642 01/30/96 128 5,487,385 12/03/93 5,496,312 03/05/96 Klicek 606 34 10/07/93 Desai 5,500,011 03/19/96 607 116 11/04/94 5,531,744 07/02/96 Nardella et al 48 606 12/01/94 07/16/96 Edwards et al 41 5,536,267 606 08/12/94 Avitall 5,555,883 09/17/96 128 642 01/30/95 FOREIGN PATENT DOCUMENTS DOCUMENT SUB-FILING CLASS CLASS NUMBER DATE NAME DATE WO 99/56486 11/04/99 Nokia Telecommunications 04/28/99 OY WO 99/56644 11/11/99 Cardiac Pacemakers, Inc. 04/28/99 WO 99/56648 11/11/99 Cardiac Pacemakers, Inc. 04/28/99 OTHER PUBLICATIONS (Including Author, Title, Date, Pertinent Pages) EXAMINER: DATE CONSIDERED:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP form. Draw line through citation if not in conformance and not considered.

Include a copy of this form with the next communication to applicant.

			Attorney Docket No. HOOV 112			al No. 32,378	
1 1	OF PUBLICATION		<u>Applicant</u> Michael D. HOOVEN, et a	il.			
APR 0 8 2004	30 j	-	<u>Filing Date</u> October 26, 2001		<u>Group</u> 3739	õ	
Maneway.	7	บ.ร	B. PATENT DOCUMENTS				
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	c	IASS	SUB- CLASS	FILING DATE
111111111111111111111111111111111111111	5,562,721	10/08/96	Marchlinski et al	-	07	99	05/10/9
•		10/05/96	Swartz et al		.28	898	11/03/9
	5,564,440	12/10/96	Swanson et al		06	39	08/08/9
	5,582,609	12/10/96			45	118	
	5,587,723	01/21/95	Otake et al Swanson et al	- 1	.28	697	04/13/9 02/17/9
	5,595,183			9		51	04/03/9
	5,599,350	02/04/97	Schulze et al	1	06		
	5,611,813	03/18/97	Lichtman Lichtman		606	205	04/28/9
	5,620,459	04/15/97			06	205	04/25/9
	5,642,736	07/01/97	Avitall		.28	772	08/19/9
	5,655,219	08/05/97	Jusa et al		70	338	03/04/9
	5,672,174	09/30/97	Gough et al		06	41	01/16/9
	5,674,220	10/07/97	Fox et al	1	06	51	09/29/9
	5,683,384	11/04/97	Gough et al		06	41	08/15/9
	5,687,737	11/18/97	Branham et al		.28	710	10/31/9
	5,688,270	11/18/97	Yates et al		06	51	01/18/9
	5,690,611	11/25/97	Swartz et al		04	53	11/14/9
	5,693,051	12/02/97	Schulze et al		06	51	04/12/9
	5,697,925	12/16/97	Taylor	6	06	34	06/09/9
		FORE:	IGN PATENT DOCUMENTS		<u>1</u>		
	DOCUMENT		·			SUB-	FILING
	NUMBER	DATE	NAME	C	LASS	CLASS	DATE
	WO 97/32525	09/12/97	Cardiac Pathways Corp	o.			11/04/9
1	WO 99/44519	09/10/99	Atrionix, Inc.			ļ	03/02/9
•	WO 99/59486	11/25/99	New England Medical C	tr.	1		05/20/9
	WO 00/21449	04/20/00	Levin, J.M.				10/09/9
,							
J.		o	THER PUBLICATIONS				
	(Inclu	ding Author	, Title, Date, Pertine	ent Page	es)		
XAMINER:			DATE	E CONSII	DERED:		

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP form. Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.

						ļ		
			Attorney Docket HOOV 112	No.		al No.		
O PLEST OF PUBLICATIONS CITED BY APPLICANT			Applicant Michael D. HOOVEN, et al.					
li /	APR 0 8 2004		<u>Filing Date</u> October 26, 2001		Group 3739			
*EXAMINER	ox.	U.S	. PATENT DOCUMENT	PATENT DOCUMENTS				
*EXAMINER	DOCUMENT					SUB-	FILING	
INITIAL	NUMBER	DATE	NAME		CLASS	CLASS	DATE	
	5,697,928 5,702,359 5,702,438 5,709,680 5,718,703 5,722,403 5,725,512 5,728,143 5,730,127 5,730,704 5,733,280 5,735,847 5,735,847 5,740,808 5,755,664 5,755,717 5,759,158 5,782,827	12/16/97 12/30/97 12/30/97 12/30/97 01/20/98 02/17/98 03/03/98 03/10/98 03/17/98 03/24/98 03/24/98 03/24/98 03/31/98 04/07/98 04/07/98 04/07/98 04/21/98 05/26/98 05/26/98 06/02/98 07/21/98	Walcott et al Hofmann et al Austin et al Avitall Yates et al Chin McGee et al Swartz et al Gough et al Avitall Avitall Avitall Gough et al Baden et al Panescu et al Rubenstein Yates et al Swanson Gough et al	ΤC	606 604 606 607 606 606 128 604 607 128 600 606 606 128 600 606 600 606	41 20 48 122 50 49 642 280 101 642 374 23 45 51 662 377 51 508 41	09/23/96 06/06/95 03/12/96 06/08/95 12/22/94 03/14/95 10/28/96 02/08/96 02/14/96 01/29/96 05/06/96 11/15/95 12/19/95 11/07/96 10/28/96 07/11/96 01/16/96 08/19/97 12/19/95	
	DOCUMENT	PORE	IGN FAILNI DOCUMEN	VI.5		SUB-	FILING	
	NUMBER	DATE	NAME		CLASS	CLASS	DATE	
	WO 00/27310 (A2 & A3) WO 00/27311	05/18/00	St. Jude Medical Cardiovascular G St. Jude Medical Cardiovascular G	roup Inc			11/05/99	
OTHER PUBLICATIONS (Including Author, Title, Date, Pertinent Pages)								
EXAMINER:	DATE CONSIDERED:							
*EXAMINER:	*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP form. Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.							

Page 5 of 12